

Examiner
3-6-03
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of: Chapin, *et al.* Art Unit: 3721
Serial No.: 10/043,662 Dkt. #: END920010017 (IBME-0032)
Filed: 01/09/2002 Examiner: Huynh, L.
Title: ORIENTING AND STACKING
PARTS

Commissioner For Patents
Washington, D.C. 20231

RESPONSE TO RESTRICTION REQUIREMENT

Sir:

This paper is being filed in response to the Restriction Requirement dated February 28, 2003. Claims 1-20 are pending in this application. Applicants hereby provisionally elect Group I, claims 1 - 10, with traverse. Prompt examination on the merits is respectfully requested.

In the Restriction Requirement, the Office asserts that the invention as defined in Group I is distinct from the invention as defined in Group III. While Applicants disagree with this conclusion, they submit that there are other more significant grounds that justify searching the two Groups together. In particular, Applicants submit that the subject matter of Groups I and III are sufficiently related that a thorough search for the subject matter of the Group I invention would encompass a search for the subject matter of the Group III invention. More specifically, Applicants submit the subject matter of claims 15-20 substantially correspond to claims 7, 1, 9, 2, 3 and 7 (again), respectively. Thus, it is respectfully submitted that the search and examination of Group I will encompass all of the subject matter of Group III, and thus a search

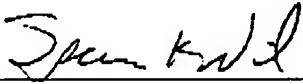
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for both Groups could be made without serious burden. See MPEP § 803 in which it is stated: "if the search and examination of an entire application can be made without serious burden, the Examiner must examine it on the merits, even though it includes claims to distinct or independent inventions." It is respectfully submitted that this policy should apply in the present application in order to avoid unnecessary delay and expense to Applicant and duplicative examining by the Patent Office.

Should the Examiner require anything further from Applicants, the Examiner is invited to contact Applicants' undersigned representative at the number listed below.

Respectfully submitted,


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FOR: PTO Group Art Unit 3721
FROM: Spencer K. Warnick - Reg. No. 40,398
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DESTINATION FACSIMILE NUMBER: 703-872-9302

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Examiner: Huynh, L.
Our File: IBME-0032

Attached: Response to Restriction Requirement in 2 pages

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